

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 8TH OCTOBER 2007 / 16TH ASWINA 1929

WP(C).No. 24036 of 2007(J)

PETITIONERS:

1. BASIM.N.M.,
(MODEL II (VOCATIONAL) B.COM.DEGREE,
ST.JOSEPH COLLEGE, MOOLAMATTOM), RESIDING AT
NEDUMPURAKKAL (H), P.O.KATOOR, THRISSUR DIST.
680 702.
2. VINEETH ANIL,
(MODEL II (VOCATIONAL) B.COM.DEGREE,
ST.JOSEPH COLLEGE, MOOLAMATTOM),
RESIDING AT PULLAPPILLIL (H),
MUTHALAKODOM, THODUPUZHA - 685 605.
3. CHANTU JOSEPH JOY,
(MODEL II (VOCATIONAL) B.COM.DEGREE,
ST.JOSEPH COLLEGE, MOOLAMATTOM),
JOY BROTHERS, KATTAPPANA P.O., IDUKKI DIST.
655 508.
4. TOM V. THOMAS,
(MODEL II (VOCATIONAL) B.COM.DEGREE,
ST.JOSEPH COLLEGE, MOOLAMATTOM),
RESIDING AT VANCHITHANATHAU (H),
KATTAPPANA P.O., IDUKKI DIST.- 655 508.
5. GINESH CHACKO,
(MODEL II (VOCATIONAL) B.COM. DEGREE,
ST.JOSEPH COLLEGE, MOOLAMATTOM),
RESIDING AT MATTATHIL (H), KATTAPPANA P.O.,
VETTIKUZHAKAVALA, IDUKKI DIST.- 655 508.

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6. SEBIN JOSE,
(MODEL II (VOCATIONAL) B.COM.DEGREE,
ST.JOSEPH COLLEGE, MOOLAMATTOM), RESIDING AT
MUNDAMATTOM (H), KURUMANNU P.O.,
KOTTAYAM DIST. - 686 654.

7. SEBIN ZACHARIA,
(MODEL II (VOCATIONAL) B.COM. DEGREE,
ST.JOSEPH COLLEGE, MOOLAMATTOM.),
RESIDING AT THEKKUMKATTIL (H),
KANJAR P.O., IDUKKI DIST- 685 592.

BY ADV. SRI.ANIL K.NARENDRA

RESPONDENTS:

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1. MAHATMA GANDHI UNIVERSITY,
PRIYADARSINI HILLS, KOTTAYAM,
REP.BY ITS REGISTRAR.
 2. THE VICE CHANCELLOR,
MAHATMA GANDHI UNIVERSITY,
PRIYADARSINI HILLS, KOTTAYAM.
 3. THE CONTROLLER OF EXAMINATIONS,
MAHATMA GANDHI UNIVERSITY,
PRIYADARSINI HILLS, KOTTAYAM.
 4. THE PRINCIPAL,
ST.JOSEPH COLLEGE, MOOLAMATTOM,
IDUKKI DIST.- 685 589.
 5. SHRI.SONICHAN MATHEW,
LECTURER, ST.GEORGE COLLEGE,
ARUVITHURA P.O., ERATHUPETTAH,
KOTTAYAM DIST. - 686 122.

BY ADV. SRI. T.A. SHAJI, SC, M.G.UNIVERSITY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 08/10/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

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APPENDIX

PETITIONER'S EXHIBITS:

- EXT.P1: COPY OF QUESTION PAPER FOR DATA PROCESSING AND COMPUTER APPLICATION (C PROGRAMMING), ISSUED TO THE PETITIONERS.
- EXT.P1(A): COPY OF QUESTION PAPER FOR DATA PROCESSING AND COMPUTER APPLICATION (C PROGRAMMING), ISSUED TO THE PETITIONERS.
- EXT.P2: COPY OF MARK LIST DTD. 19/04/2007 ISSUED TO THE 1ST PETITIONER FOR THE 4TH SEMESTER EXAMINATION.
- EXT.P2(A): COPY OF MARK LIST DTD. 19/04/2007 ISSUED TO THE 2ND PETITIONER FOR THE 4TH SEMESTER EXAMINATION.
- EXT.P2(B): COPY OF MARK LIST DTD. 19/04/2007 ISSUED TO THE 3RD PETITIONER FOR THE 4TH SEMESTER EXAMINATION.
- EXT.P2(C): COPY OF MARK LIST DTD. 19/04/2007 ISSUED TO THE 4TH PETITIONER FOR THE 4TH SEMESTER EXAMINATION.
- EXT.P2(D): COPY OF MARK LIST DTD. 19/04/2007 ISSUED TO THE 5TH PETITIONER FOR THE 4TH SEMESTER EXAMINATION.
- EXT.P2(E): COPY OF MARK LIST DTD. 19/04/2007 ISSUED TO THE 6TH PETITIONER FOR THE 4TH SEMESTER EXAMINATION.
- EXT.P2(F): COPY OF MARK LIST DTD. 19/04/2007 ISSUED TO THE 7TH PETITIONER FOR THE 4TH SEMESTER EXAMINATION.
- EXT.P3: COPY OF REPRESENTATION DTD. 16/05/2007 SUBMITTED BY THE 3RD PETITIONER BEFORE THE CONVENER OF THE EXAMINATION SUB-COMMITTEE OF THE SYNDICATE OF THE RESPONDENT UNIVERSITY.
- EXT.P4: COPY OF REPRESENTATION DTD. 16/05/2007 SUBMITTED BY THE 4TH PETITIONER BEFORE THE CONVENER OF THE EXAMINATION SUB-COMMITTEE OF THE SYNDICATE OF THE RESPONDENT UNIVERSITY.

/TRUE COPY/

P.S.TO JUDGE

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ANTONY DOMINIC, J.

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W.P.(C) No. 24036 OF 2007 J
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Dated this the 8th October, 2007

J U D G M E N T

The controversy in this writ petition is regarding the valuation of the petitioners' answer papers in the practical examination in Electronic Data Processing and Computer Application (C Programming). According to the learned counsel for the writ petitioners, the 5th respondent Examiner did not value the paper in terms of the method of valuation approved by the University and that step marks, which they are entitled to, were not granted.

2. On behalf of the University the Standing Counsel submits that a complaint in this behalf was received by the University and that the matter has been placed before the Sub-committee of the Syndicate. At this stage, the learned counsel for the writ petitioners points out that the next examination is scheduled to commence on 16th of this month and therefore a decision in this behalf is to be taken before that date as otherwise it will prejudicially

affect them.

3. Having considered the submissions made by both sides, I direct that the Sub-committee of the Syndicate, to which the complaint raised by some of the petitioners have already been referred to, shall consider the issue and take a decision in this matter before 15-10-2007. It will be open to the Sub-committee of the Syndicate to call for and examine the worksheet which is available with the 5th respondent. The decision so taken shall be communicated to the petitioners.

Writ petition is disposed of as above.

**ANTONY DOMINIC
JUDGE**

jan/-